

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 7679

Petition of Beaver Wood Energy Fair Haven, LLC, for a)
Certificate of Public Good, pursuant to 30 V.S.A. § 248,)
to install and operate a Biomass Energy Facility and an)
integrated wood pellet manufacturing facility located)
north of Route 4 in Fair Haven, Vermont, to be known as)
the "Fair Haven Biomass Project")

Order entered: 1/5/2011

ORDER RE: MOTION TO INTERVENE

This Order addresses the Vermont Agency of Agriculture, Food and Markets' ("AAFM") motion to intervene, filed on December 3, 2010. AAFM seeks to participate in this Docket with regard to 30 V.S.A. § 248(b)(4) concerning the impact the project may have upon the economic viability of Vermont's agricultural economy, including its plant nursery and maple industries, among others, and 30 V.S.A. § 248(b)(5) concerning the natural environment, specifically potential agricultural soil impacts and pest control and management issues. AAFM states that it has statutory interests in and particularized knowledge and experience with: identification, management, and protection of Vermont's quality agricultural soils; identification, control, and management of pests; and assessment of the economic viability of Vermont's agricultural economy.

No party filed comments on AAFM's motion. I conclude that AAFM, given its statutory obligations and interests, has demonstrated a particularized interest with respect to Vermont's agricultural soils, natural environment, and agricultural economy. To the extent that AAFM's interests regarding pest management may overlap with the interests of Agency of Natural Resources, the parties are encouraged to work together in the preparation of testimony and discovery, as well as the examination of witnesses.

Therefore, I grant AAFM's motion on a permissive basis, under Board Rule 2.209(B), limited to the interests that it has identified in its motion.

SO ORDERED.

Dated at Montpelier, Vermont, this 5th day of January, 2011.

s/ Kurt Janson

Kurt Janson, Esq.
Hearing Officer

OFFICE OF THE CLERK

FILED: January 5, 2011

ATTEST: s/ Susan M. Hudson
Clerk of the Board

NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)